
Appeal Decision

Site visit made on 22 September 2020

by A Spencer-Peet BSc(Hons) PGDip.LP Solicitor (Non Practising)

an Inspector appointed by the Secretary of State

Decision date: 30 September 2020

Appeal Ref: APP/D1265/D/20/3253819

7 Grosvenor Road, Dorchester DT1 2BB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Edney against the decision of Dorset Council.
 - The application Ref WD/D/20/000166, dated 21 January 2020, was refused by notice dated 6 April 2020.
 - The development proposed is to demolish existing garage and build new garage. Demolish existing conservatory and build new extension to bungalow forming open plan kitchen/living area. Internal changes.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - The effect of the proposed development on the character and appearance of the surrounding area and the host building; and,
 - The effect of the proposed development on the living conditions of nearby residents with particular reference to outlook.

Reasons

Character and Appearance

3. The appeal building is a detached bungalow set back from the highway behind a modestly sized front garden area. The bungalow appears to be predominately constructed in brick, with a concrete tiled roof, and which has an attached garage on the southern elevation of the dwelling. The appeal building forms part of a row of similarly designed bungalows on the eastern side of Grosvenor Road, with the dwellings on the opposite side of Grosvenor Road predominately comprising substantial two storey detached and semi-detached residences.
4. A generously sized rear garden area serves the appeal property, with the eastern section of the garden wrapping around and enclosing the rear garden area which serves the neighbouring property at 9 Grosvenor Road. A boundary wall separates the rear garden at the appeal property from its neighbour. The rear garden area further backs onto the gardens of dwellings which are located within Grosvenor Crescent.

5. Policy ENV12 of the West Dorset, Weymouth and Portland Local Plan¹ (the Local Plan), amongst other things, requires that alterations or extensions to existing buildings must not overpower the host building or its neighbours unless they achieve significant visual enhancement to both the host building and the surrounding area.
6. The proposed extension would be considerable in terms of its scale, bulk and mass, and would result in a significant reduction in the amount of external area to the rear of the appeal building. In my view, by reason of its dimensions in proportion to the appeal building, the proposed extension would not appear as a subservient addition, but rather would appear as an incongruous, bulky extension which would dominate and overpower the pleasing simple form of the existing building. Whilst the materials proposed in the construction of the extension would appear to reflect those used for the host dwelling, the proposal would not complement the existing building in terms of design and would be at odds with the scale of development of its immediate neighbours.
7. The design of the proposed extension, and the resulting significantly increased scale and bulk of the appeal building, would not reflect or respect the character or appearance of its immediate neighbours and, consequently, would not be in harmony with the adjoining buildings. I acknowledge that there is some variety in design, scale and appearance of dwellings within the wider surrounding area as a whole, and, in this respect, the appeal scheme would not necessarily fail to harmonise with some forms of development within the wider area. However, for the above reasons, the appeal scheme would not result in a visual enhancement to the host building or to the immediate surrounding area.
8. Given that the proposed extension would not be highly visible within the wider surrounding area, the harm to the character and appearance of the surrounding area and to the host building would be limited, affecting only its immediate surroundings. However, the proposal would result in some limited harm in these respects and, for the reasons described above, the appeal scheme would dominate and overpower the original building. Consequently, the proposal would conflict with Policy ENV12 of the Local Plan and would fail to accord with those paragraphs of the National Planning Policy Framework (the Framework) which require that the design of development is sympathetic to local character.
9. The Appellants have drawn my attention to other dwellings within the wider surrounding area which have been altered and extended. In these respects, the residences on the western side of Grosvenor Road are substantial in terms of their scale and mass and, from observations made on my site visit, it did not appear that any of the alterations had an overpowering or dominating effect on the host building. Furthermore, those dwellings within Grosvenor Crescent which had been altered and extended appeared to occupy substantial plots where the proportions of the extensions respected the scale of the original building.
10. Whilst I would agree that the alterations made to 3 Grosvenor Crescent did somewhat appear to dominate the host building, this only served to confirm that such unsympathetic extensions are detrimental to the character and appearance of the surrounding area. I have only very limited information in respect of those alterations and therefore cannot be sure what development

¹ Adopted October 2015

plan policies applied at the time. As such the matters are not comparable and I have therefore determined this appeal on its own merits.

Living Conditions

11. As noted above, the proposed extension would be substantial in terms of its scale, bulk and depth. The appeal scheme would result in a building which extends into the rear garden space to a significant degree and, by reason of its mass and proximity to the shared boundary with 9 Grosvenor Road, the proposal would dominate the outlook from the rear of that neighbouring dwelling. The scheme would result in an overbearing and oppressive effect for the residents of 9 Grosvenor Road when using the modestly sized rear garden area which serves that dwelling.
12. Whilst I acknowledge that the extension would not be constructed up against the shared boundary, the proposal would still result in a building that occupied space in close proximity to the shared boundary with 9 Grosvenor Road and which would have an unacceptable adverse impact on the residents of that dwelling with regards to outlook. By reason of the overall scale and bulk of the proposed extension, and given its proximity to the shared boundary, the adverse impacts on the living conditions of the neighbouring residents described above, would not be sufficiently mitigated by incorporating a hipped roof form in the design of the extension.
13. It is noted that the Council's Officer Report included reference to a potential loss of privacy for residents at 9 Grosvenor Road. In this respect, I am conscious that some overlooking of gardens is to be expected in residential areas such as this, and, in this respect, I find that the design of the appeal scheme would not result in any additional degree of overlooking than that already experienced by the residents of the neighbouring dwelling. However, while I find that there would be no unacceptable loss of privacy, the appeal proposal would, nonetheless, result in the harmful impacts relating to outlook as described above.
14. In light of the above, the proposal would conflict with Policy ENV16 of the Local Plan which, amongst other matters, seeks to ensure that development does not have a significant adverse effect on the amenity of residents through overbearing impact. For the same reasons, the proposal would fail to accord with paragraph 127(f) of the Framework which requires that development provides a high standard of amenity for residents.

Other Matters

15. The Appellants have brought to my attention that an extension to the appeal building could be erected on the basis of permitted development as confirmed by the Council in May 2020². I am satisfied that if the appeal scheme is dismissed, there is every likelihood that such an extension would be built and, consequently, the permitted extension would represent a fallback position.
16. However, having considered the plans and drawings submitted in relation to the fallback position, it appears that the fallback development would result in an extension which would have a lower overall height, would not extend as far into the rear garden area at the appeal property and would be significantly reduced in terms of its scale, mass and bulk when compared to the appeal

² Local Planning Authority Reference: WD/D/20/000909

scheme. Therefore, in my view, the general form and appearance of the building that would result from the fallback position would be less harmful to the character and appearance and less harmful in terms of the effect on the living conditions of nearby residents, than the appeal proposal and, accordingly, I attach very limited weight to the potential fallback position in the determination of this appeal.

Conclusions

17. For the reasons given above, I conclude that the appeal should be dismissed.

A Spencer-Peet

INSPECTOR